

**REMARKS**

Upon entry of the present amendment, claims 1 and 10 will have been amended while claims 12 through 17 will have been submitted for consideration by the Examiner in charge of the present application. Thus claims 1,2 and 6-17 will remain pending.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection. Such action is now believed to be appropriate and proper and is thus respectfully requested, in due course.

In the outstanding Official Action, the Examiner rejected claims 1, 2, and 6-11, under 35 U.S.C. § 103(a) as unpatentable over TSUYUKI et al. (U.S. Patent No. 5,547,457) in view of NITAMI et al. (U.S. Patent No. 3,910,686). Applicant respectfully traverses the above noted rejection and submits that it is inappropriate with respect to the combination of features recited in each of Applicant's independent claims. In particular, even if combined as proposed, the disclosures of the references, do not teach, disclose, suggest or render obvious the combination of features recited in Applicant's claims. Accordingly, Applicant respectfully submits that the present claims are clearly patentable over the references of record herein.

Applicant's invention is directed to an objective optical system configured to be implemented in a tip of an endoscope as well as to a method of assembling an objective optical system configured to be implemented in a tip of an endoscope. Utilizing the objective optical system of claim 1 as a nonlimiting example of Applicant's invention, the optical system includes a first lens unit and a second lens unit. In particular, according to the teachings of the present invention, the first lens unit includes an alignment lens that is movable in a direction perpendicular to an optical axis thereof, a first lens barrel formed

with a plurality of unthreaded holes through which parts of a circumferential surface of the alignment lens are exposed, the alignment lens is movably accommodated in the first lens barrel and the alignment lens is moved, in the direction perpendicular to the optical axis, by pins inserted through the plurality of holes, respectively. It is respectfully submitted that no proper combination of the references rely upon, in any proper combination teaches the combination, of features recited in Applicant's claims.

In particular, and in setting forth the rejection, and the Examiner notes that TSUYUKI et al. is "silent" with respect to the alignment lens being moved by alignment pins in the direction perpendicular to an optical axis thereof. Thus the Examiner relies on NITAMI et al. to overcome this admitted shortcomings of the TSUYUKI et al. disclosure. However, the disclosure of the NITAMI et al. is inadequate and insufficient to supply the above noted admitted shortcoming of TSUYUKI et al.

Applicant notes that neither of the two references cited and applied by the Examiner in combination, contains a disclosure that teaches, suggests or renders obvious a plurality of holes through which parts of a circumferential surface of the alignment lens is exposed. For this reason alone, it is respectfully submitted that Applicant's claims are clearly patentable over the combination of references relied upon by the Examiner in the outstanding official action. Nevertheless, to even the more clearly provide a basis for the patentability of the independent claims, Applicant has amended the claims to define the holes as being "unthreaded".

As noted above, Applicant notes that claim 1 now recites the plurality of "unthreaded" holes. The holes relied upon by the Examiner in NITAMI et al. are threaded as can clearly be seen in figure 2 thereof. Additionally, the holes of NITAMI et

al. do not expose any part of the circumferential surface of the alignment lens. In this regard, Applicant notes that the holes 33 of NITAMI et al. extend through the inner cylinder 133 and expose portions of the carrying rings 121, 122,... The lenses 111, 112,... are fixed to and are carried by the carrying rings. However the threaded holes required by fail to expose any portion of the circumference of the lenses, as explicitly required by the pending claims.

For each of the above noted reasons an certainly for all of the above noted reasons it is respectfully submitted that the disclosure of the NITAMI et al. is inadequate and insufficient to supply the admitted shortcomings and deficiencies of the primary TSUYUKI et al. reference relied upon by the Examiner in the outstanding Official Action.

By the present response, Applicant has submitted a number of additional dependent claims to provide Applicant with the scope of coverage to which he is entitled for additional aspects and features of the present invention. These claims, as well as the other dependent claims in the present application are all submitted to be patentable over the combination of references cited herein, based on their own recitations as well as additionally based on the recitations of the independent claims from which they depend, which have been clearly shown to be allowable by the present response.

Accordingly, applicant respectfully request reconsideration the outstanding rejection together with an indication of the allowability of all the claims pending in the present application, in due course.

### **SUMMARY AND CONCLUSION**

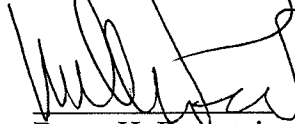
Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has pointed out a basis for the patent ability of the claims as previously pending in the present application. Applicant has additionally amended the claims to provide yet additional bases for the patentability thereof. Applicant has also submitted a number of dependent claims for consideration by the Examiner.

Applicant has discussed the disclosure of the references relied upon by the Examiner and has noted the defects thereof with respect to the features of applicant's claims. Applicant has additionally discussed the recitations of the pending claims and has pointed out the shortcomings of the combination of references with respect thereto. Accordingly, Applicant has provided a clear evidentiary bases supporting the patentability of all thee claims pending in the present application and respectfully requests an indication to such effect in due course.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

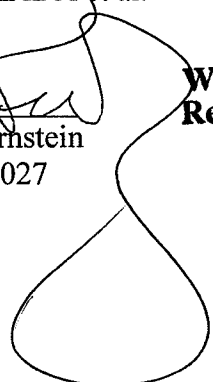
Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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